



MAIL STOP AMENDMENT
Attorney Docket No. 82618

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Berger et al.

Confirmation No.: 8526

Serial No.: 10/522,545

Group Art Unit: 3736

Date Filed: January 27, 2005

For: **BIO-FILTER PAD FOR FACILITATING THE DETECTION OF AN OCCURRENCE OF
A PHYSIOLOGICAL ACTION, AND METHOD THEREFOR, AND FETAL ACTIVITY
MONITORING APPARATUS**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark
Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement Transmittal Letter;
- (3) PTO Form 1449; and
- (4) Copy of (22) documents .

The Commissioner is hereby authorized to charge any deficiency
or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

By:

Harold L. Novick
Registration No. 26,011
Customer No. 20529

Date: March 27, 2007
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
(703) 548-6284

HLN/bp



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
BERGER et al.
Serial No. 10/522,545
Filed: January 27, 2005

For: **BIO-FILTER PAD FOR FACILITATING THE DETECTION OF AN OCCURRENCE OF A
PHYSIOLOGICAL ACTION, AND METHOD THEREFOR, AND FETAL ACTIVITY MONITORING
APPARATUS**

INFORMATION DISCLOSURE STATEMENT AND TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- ☒ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☐ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

- ☐ i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
- ☐ ii. a check in the amount of \$180.00 required by 37 C.F.R. §1.17(p).
- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

The enclosed statement is accompanied by:

- ☐ i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), and
- ii. a check in the amount of \$180.00 required by 37 C.F.R. §1.17(p).
- ☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b) (I) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[X] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

A completed Form PTO-1449 and copies of those documents which are required are attached herewith. The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

By: 
Harold L. Novick

Date: March 27, 2007
The Nath Law Group
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FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Atty Docket
82618Serial No.
10/522,545Applicant
BERGER et al.Filing Date
January 27, 2005Group Art Unit
3736

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	File/Pub. Date
	AA	US3,379,901	1968				
	AB	US3,488,821	1970				
	AC	US3,703,168	1972				
	AD	US3,763,851	1973				
	AE	US3,934,577	1976				
	AF	US3,989,034	1976				
	AG	US4,143,650	1979				
	AH	US4,781,200	1988				
	AI	US4,890,624	1990				
	AJ	US4,898,179	1990				
	AK	US5,2656,619	1993				

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	AL	CN1262918	2000	China			Yes, Abstract
	AM	DE4225036	1993	Germany			Yes, Abstract
	AN	FR2602413	1988	France			Yes, Abstract
	AO	JP4309334	1992	Japan			Yes, Abstract
	AP	JP5000141	1993	Japan			Yes, Abstract
	AQ	JP6296593	1994	Japan			Yes, Abstract
	AR	JP11089832	1999	Japan			Yes, Abstract

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AT		
	AU		
	AV		Classification of human fetal movement by Ilan Timor-Tritsch, M.D., Ivan Zador, M.Sc., Roger H. Hertz, M.D., Mortimer G. Rosen, M.D. American Journal of Obstetrics and Gynecology, Volume 26, No. 1, pp 70-77.

Examiner

Date Considered

* Previously submitted in Appln. S/N _____, a previously filed case relied on for an effective filing date under 35 USC §120; no copy enclosed.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Applicant.

FORM PTO-1449 INFORMATION DISCLOSURE CITATION	Atty Docket 82618	Serial No. 10/522,545
	Applicant BERGER et al.	
	Filing Date January 27, 2005	Group Art Unit 3736

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	File/Pub. Date
	BA	US5,605,156	1997				
	BB	US5,817,035	1998				
	BC	US6,024,711	2000				
	BD	US6,045,500	2000				
	BE	US6,135,969	2000				
	BF	US6,206,821	2001				
	BG	US6,275,719	2001				
	BH	US7,016,722	2006				

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Trans-lation
	BL	GB1,348,154	1974	Great Britain			
	BM	GB1,369,166	1974	Great Britain			
	BN	GB1,398,670	1975	Great Britain			
	BO	W086/02250	1986	PCT			
	BP	W089/04140	1989	PCT			
	BQ	W099/52020	1999	PCT			

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	BT		
	BU		Recording of foetal movements: a comparison of three methods by L. Valentin, K. Marsal and K. Lindstorm. Journal of Medical Engineering & Technology, Vol. 10, No.5 (September/October 1986), pages 239-247.
	BV		Human fetal respiratory movements: a technique for noninvasive monitoring with the use of a Tocodynamometer by Ilan E. Timor-Tritsch, Le-Roy J. Dierker, jr., Roger H. Hertz, Ivan Zador and Mortimer G. Rosen. Biol. Neonate 36: pages 18-24 (1979).

Examiner	Date Considered
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FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Atty Docket

Serial No.

Applicant

Filing Date

Group Art Unit

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue Date	Name	Class	Sub-Class	File/Pub. Date
CA						

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub-Class	Translation
CL					

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

CT		A comparison between maternal, tocodynamometric, and real-time ultrasonographic assessments of fetal movement by Y. Sorokin, M.D., S. Pillay, Ph.D., L.J. Dierker, M.D., R.H. Hertz, M.D., M.G. Rosen, M.D. From the department of obstetrics and gynecology and the Perinatal Clinical Research Center, Cleveland Metropolitan General Hospital/Case Western Reserve University. AM. J. Obstet. Gynecol. 140:456, 1981.
CU		Ultrasonic evaluation of fetal body movements over twenty-four hours in the human fetus at twenty-four to twenty-eight weeks' gestation by Constance Nesello-Paterson, Bsc, Renato Natale, MD, and Greg Connors, MD.
CV		Differences in foetal heart rate variability from phonocardiography and abdominal electrocardiography by R. Ortiz, R. Gonzalez, M.A. Pena, S. Carrasco, M.J. Gaitan and C.Vegas. Journal of Medical Engineering & Technology, Vol. 26, No.1, (January/February 2002), pages 39-45

Examiner

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3736**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Issue Date	Name	Class	Sub-Class	File/Pub. Date
DA						

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub-Class	Translation
DL					

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

DT		Correlation between electromagnetic recording and maternal assessment of fetal movement by E. Sadovsky, Y. Mahler, W.Z., The Lancet, May 26, 1973
DU		Maternal perception, tocodynamometric findings and real-time ultra-sound assessment of total fetal activity by W.Schmidt, I. Cseh, K. Hara and F. Kubli. Department of Gynecology and Obstetrics, University of Heidelberg (F.R.G) Postgraduate Medical School, Department of Obstetrics and Gynecology, Szabolcs u. 35, H-1135 Budapest (Hungary) and Department of Obstetrics and Gynecology, University of Tokyo, Japan. International Journal of Gynecology & Obstetrics, Vol.22, 1984, pages 85-90.
DV		Acoustic impedance of the maternal abdomen by George R. Wodicka, Journal of Acoustical Society of America, Vol. 94, No. 1, July 1993 Pages 13-18.

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